



09/66/188

CBC

Customer No. 00909

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:

Hannes EBERLE *et al.*

Patent No.: 6,940,953 B1

Issued: September 6, 2005

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Docket No.: 067220-0313070

Confirmation No.: 8189

For: SYSTEM AND METHOD FOR THE CREATION AND AUTOMATIC DEPLOYMENT OF
PERSONALIZED, DYNAMIC AND INTERACTIVE VOICE SERVICES INCLUDING MODULE FOR
GENERATING AND FORMATTING VOICE SERVICES

PETITION FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. §1.322

ATTN: Certificate of Correction Branch
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Certificate
OCT 13 2005
of Correction

Sir:

The assignee of the above-identified patent, through its attorneys, hereby requests
issuance of a Certificate of Correction. A certificate is required to correct the error set forth
herein.

The error is considered to be the fault of the United States Patent and Trademark
Office ("PTO"). Therefore, no fee is required. However, in the event that it is determined
that fees are due, the Commissioner is hereby authorized to charge the undersigned's Deposit
Account No. 03-3975 (Reference No. 067220-0313070).

OCT 14 2005

Omission of Claim Language in Claim 1

The sixth paragraph of claim 1, beginning at column 46, line 8, as issued recites:

...a module for generating a call request that receives the active voice page and one or more style properties that are unique to the at least one user and generates a call request for

The sixth paragraph of claim 1, beginning at column 46, line 8, should recite:

...a module for generating a call request that receives the active voice page and one or more style properties that are unique to the at least one user and generates a call request for the at least one user; and

In other words, the text "*the at least one user; and*" has been omitted in error.

On November 5, 2004, an Amendment Accompanying Request for Continued Examination (RCE) was filed, wherein an amendment to claim 1 was presented. The omitted text appears at the top of page 3 of the Amendment. *See* attached EXHIBIT A. Accordingly, the omission of this text from the issued patent is considered to be the fault of the PTO.

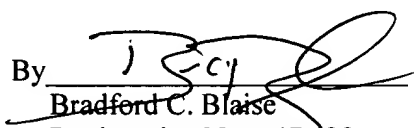
It is respectfully requested that a Certificate of Correction be issued to correct this error. Form PTO/SB/44 is attached for this purpose.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP

Dated: October 11, 2005

By


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**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**Page 1 of 1

PATENT NO. : 6,940,953 B1

APPLICATION NO.: 09/661,188

ISSUE DATE : September 6, 2005

INVENTOR(S) : Hannes EBERLE et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 46, line 11 [claim 1, line 22], change "request for" to --request for the at least one user; and--.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

PILLSBURY WINTHROP SHAW PITTMAN LLP
P. O. Box 10500
McLEAN, VA 22102

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

OCT 14 2005

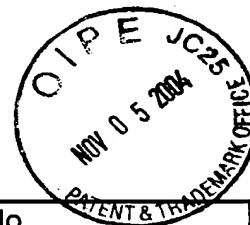
Exhibit A

**Amendment Accompanying Request
for Continued Examination (RCE) filed November 5, 2004**

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RECEIPT FROM PTO FOR INDICATED ITEMS

(Do **NOT** Use for New or Continuing Applications of Any Kind)
Use 2 postcards for all New Applications (including cont/Div/CIP)
Use this sheet when filing CPA or RCE



Appln. No: 09/661,188	Atty: Bradford C. Blaise/kdo
First Inventor: HANNES EBERLE	Date: November 5, 2004
Title: SYSTEM AND METHOD FOR THE CREATION AND AUTOMATIC DEPLOYMENT OF PERSONALIZED, DYNAMIC AND INTERACTIVE VOICE SERVICES INCLUDING MODULE FOR GENERATING AND FORMATTING VOICE SERVICES	Attorney Docket No: 067220-0313070

ENCLOSED:

1. Fee Transmittal (in duplicate);
2. Request for Continued Examination (RCE) (in duplicate);
3. Amendment/Response Transmittal (in duplicate);
4. Petition for Extension of time (2 months) (in duplicate);
5. Amendment Accompanying Request for Continued Examination (RCE);
6. Supplemental Information Disclosure Statement; and
7. Form PTO-1449 with ninety-five (95) references attached.

\$ 1,770.00 Total Fee Charged to Deposit Account

CURRENT DUE DATE: November 6, 2004

Amendment dated: November 5, 2004

Customer No.: 00909

Application Serial No.: 09/661,188

Attorney Docket No. 067220-0313070

In Response to Final Office Action mailed May 6, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PATENT APPLICATION OF: Hannes EBERLE, *et al.*
SERIAL NO.: 09/661,188
ATTORNEY DOCKET NO: 067220-0313070
FILING DATE: September 13, 2000
ART UNIT: 2645
EXAMINER: JOSEPH T. PHAN
FOR: SYSTEM AND METHOD FOR THE CREATION AND AUTOMATIC DEPLOYMENT
OF PERSONALIZED, DYNAMIC AND INTERACTIVE VOICE SERVICES
INCLUDING MODULE FOR GENERATING AND FORMATTING VOICE SERVICES

AMENDMENT ACCOMPANYING REQUEST FOR CONTINUED EXAMINATION (RCE)

Mail Stop RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Dear Sir:

In response to the Final Office Action mailed May 6, 2004 (Paper No. 23), please
amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims beginning on page 2 of this
paper.

Remarks/Arguments begin on page 8 of this paper.

It is not believed that extensions of time or fees for net addition of claims are required
beyond those that may otherwise be provided for in documents accompanying this paper.
However, if additional extensions of time are necessary to prevent abandonment of this
application, then such extensions of time are hereby petitioned for under 37 C.F.R.
§ 1.136(a), and any fees required therefore (including fees for net addition of claims) are
hereby authorized to be charged to our Deposit Account No. 033975 (Ref. No. 067220-
0313070).

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In Response to Final Office Action mailed May 6, 2004

This listing of claims will replace all prior versions and listings of claims in the Application.

LISTING OF CLAIMS:

1. (*Currently Amended*) A system for generating an active voice page that provides at least one interactive and real-time voice service to at least one user ~~and includes at least one parameter set by the at least one user as a trigger condition~~, the active voice page comprising at least one markup language document, the system comprising:

a subscription interface that enables ~~the~~ at least one user to subscribe to ~~the~~ at least one voice service that is executed upon satisfaction of a predetermined condition to output personalized information to the at least one user, wherein each the at least one user specifies ~~at least personalized content associated with the at least one voice service~~ preferences for the content and presentation of information to be output by the at least one voice service;

an input module that receives data reports and a structure for the at least one voice service when the at least one voice service is executed ;

~~a monitoring module that determines whether the at least one parameter has been~~ satisfied;

a markup language converting module that converts the data reports and the structure into a markup language;

a blending module for blending the converted data reports and the converted structure into the active voice page; ~~and~~

a module for generating a call request that receives the active voice page and one or more style properties that are unique to the at least one user and generates a call request for

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the at least one user; and

~~a communication module that enables the at least one voice service to initiate a communication session with the at least one user when the at least one parameter is satisfied, wherein the communication module is adapted to convey the personalized content to the at least one user and to enable the at least one user to respond to the at least one voice service.~~

a call server for placing an outbound telephone call to a voice-enabled terminal device of the at least one user to initiate an interactive voice broadcast with the at least one user, wherein information personalized for the at least one user is presented to the at least one user from the active voice page during the interactive voice broadcast, and wherein the active voice page further comprises one or more user inputs that enable the at least one user to respond to the personalized information during the interactive voice broadcast.

2. *(Original)* The system of claim 1, wherein the markup language is extensible markup language.
3. *(Original)* The system of claim 1, wherein the markup language is TML.
4. *(Currently Amended)* The system of claim 1, wherein the data reports are comprise online analytical processing (OLAP) system reports.

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5. *(Previously Presented)* The system of claim 1, wherein the markup language converting module comprises a markup language generator that receives the structure and generates the at least one markup language document from the structure.
6. *(Previously Presented)* The system of claim 1, wherein the markup language converting module comprises a markup language transforming module that receives the data reports from the input module and transforms the data reports into the at least one markup language document.
7. *(Previously Presented)* The system of claim 6, wherein the markup language transforming module receives stylesheets from the input module and transforms the data reports into the at least one markup language document using the stylesheets.
8. *(Currently Amended)* The system of claim 1, wherein the predetermined condition comprises either a scheduled event or a triggering event, and is specified by the at least one user while subscribing to the at least one voice service ~~further comprising a module for generating a call request that receives the active voice page and one or more style properties that are unique to the at least one user and generates a call request for the at least one user.~~

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9. (*Currently Amended*) A method for generating an active voice page that provides at least one interactive and real-time voice service to at least one user ~~and includes at least one parameter set by the at least one user as a trigger condition~~, the active voice page comprising at least one markup language document, the method comprising:

enabling ~~the~~ at least one user to subscribe to at least one voice service that is executed upon satisfaction of a predetermined condition to output personalized information to the at least one user, wherein each the at least one user specifies ~~at least personalized content associated with the at least one voice service~~ preferences for the content and presentation of information to be output by the at least one voice service;

receiving data reports and a structure for the at least one voice service when the at least one voice service is executed;

~~determining whether the at least one parameter has been satisfied;~~

converting the data reports and the structure into a markup language;

blending the converted data reports and the converted structure into the active voice page;

generating a call request for the at least one user from the active voice page and one or more style properties that are unique to that at least one user;

~~enabling the at least one voice service to initiate a communication session with the at least one user when the at least one parameter is satisfied;~~

~~communicating the personalized content to the at least one user; and~~

~~enabling the at least one user to respond to at least one voice service.~~

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placing an outbound telephone call to a voice-enabled terminal device of the at least one user to initiate an interactive voice broadcast with the at least one user, wherein information personalized for the at least one user is presented to the at least one user from the active voice page during the interactive voice broadcast, and wherein the active voice page further comprises one or more user inputs that enable the at least one user to respond to the personalized information during the interactive voice broadcast.

10. *(Original)* The method of claim 9, wherein the markup language is extensible markup language.
11. *(Original)* The method of claim 9, wherein the markup language is TML.
12. *(Currently Amended)* The method of claim 9, wherein the data reports are comprise online analytical processing (OLAP) system reports.
13. *(Currently Amended)* The method of claim 9, wherein converting comprises receiving the structure and generating the at least one markup language document from the structure.
14. *(Previously Presented)* The method of claim 9, wherein converting comprises receiving data reports and transforming the data reports into the at least one markup language document.

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15. (*Previously Presented*) The method of claim 14, further comprising receiving stylesheets and transforming the data reports into the at least one markup language document using the stylesheets.

16. (*Currently Amended*) The method of claim 9, wherein the predetermined condition comprises either a scheduled event or a triggering event, and is specified by the at least one user while subscribing to the at least one voice service ~~further comprising:~~

~~receiving one or more style properties that are unique to the at least one user; and,~~

~~generating a call request for the at least one user from the active voice page and the style properties.~~

17. *cancelled*

18. *cancelled*

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REMARKS

In response to the Final Office Action mailed May 6, 2004 (Paper No. 23), claims 1, 4, 8-9, 12, 13, & 16 have been amended. No claims have been cancelled or newly added. Therefore, claims 1-16 remain pending. Support for the instant amendments is provided throughout the as-filed Specification. Thus, no new matter has been added. In view of the foregoing amendments and following comments, allowance of all the claims pending in the application is respectfully requested.

Information Disclosure Statement (I.D.S.)

1. A Supplemental I.D.S. was filed by Applicants on June 26, 2003. Applicants note that although a signed copy of the Form PTO-1449 for this submission was provided by the Examiner with the Office Action mailed November 14, 2003 (Paper No. 20), the references (2A-2G) on page 2 of the Form PTO-1449 were not initialed as having been considered. Accordingly, Applicants respectfully request that the Examiner provide a signed and initialed copy of page 2 of the Form PTO-1449 for this submission with the next Office Action.

2. Applicants are submitting herewith a Supplemental I.D.S., and respectfully request that the Examiner provide a signed copy of the Form PTO-1449 for this submission with the next Office Action.

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Rejections Under 35 U.S.C. §102

Claims 1-16 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,507,817 to Wolfe *et al.* ("Wolfe"). See Paper No. 23, pg. 2, ¶1. Applicants disagree with the rejections of claims 1-16 as set forth by the Examiner. However, solely in an effort to expedite prosecution, the claims have been amended to clarify various points of novelty over Wolfe.

In particular, independent claims 1 and 9 recite, *inter alia*, the features of generating a call request for a user from an active voice page and one or more style properties that are unique to the user, and placing an outbound telephone call to a voice-enabled terminal device of the user to initiate an interactive voice broadcast with the user. Wolfe does not appear to disclose *at least* these features.

By contrast, Wolfe appears to disclose a voice IP approval system that comprises a web-based voice messaging system for enabling text-based forms to be retrieved and acted on via a telephone. See Wolfe, *e.g.*, Abstract. For example, a blank form (*e.g.*, vacation request, cell phone or pager purchase request, purchase order, capital expense request, *etc.*) may be retrieved from a forms database 124 and presented by a web server 64' to a browser 56' for data input by a submitting party (the party seeking approval). The submitting party completes the form and posts the completed form to web server 64' for storage in a data store 122. See Wolfe, *e.g.*, col. 5, lns. 60+. While Wolfe does disclose generating an HTML document to present the form to a subscriber (or approving party) in an audible format with audible prompts, Wolfe does not appear to disclose placing an outbound telephone call to the subscriber (approver) to present the form to the subscriber once the submitting party posts the

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completed form to web server 64.' Rather, the completed form is placed in data store 122 until an HTTP request from a subscriber is received:

With regard to form approval, the *application server 66 receives*, via the web server 64, *HTTP requests from either a PC-based web browser 56* capable of supplying full media content (e.g., audio, text, images, and streaming video), *or a lightweight or proxy browser 62* configured for serving as an HTTP interface for a user input device, such as a telephone 18, having limited media capabilities (e.g., audio only).

See Wolfe, col. 6, lns. 14-25, emphasis added.

For *at least* the reason that Wolfe discloses converting a text-based form into an audible format upon receiving an HTTP request from a subscriber, and not placing an outbound telephone call to the subscriber (approver) to present the form to the subscriber, Applicants submit that Wolfe neither explicitly nor impliedly discloses Applicants' claimed feature of placing an outbound telephone call to a voice-enabled terminal device of the user to initiate an interactive voice broadcast with the user. As such, the rejection of independent claims 1 and 9 should be withdrawn.

Applicants submit that dependent claims 2-8 and 10-16 are allowable because they depend from allowable independent claims, as well as for the further limitations they contain.

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CONCLUSION


Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Date: November 5, 2004

Respectfully submitted,

By:


Bradford C. Blaise

Registration No. 47,429

Customer No. 00909

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